



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**HB5784**

Introduced 04/25/06, by Rep. Rich Brauer

**SYNOPSIS AS INTRODUCED:**

225 ILCS 410/3-1	from Ch. 111, par. 1703-1
225 ILCS 410/3A-1	from Ch. 111, par. 1703A-1

Amends the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985. Provides that cosmetology and esthetics include the practice of tinting eyelashes and eyebrows.

LRB094 20169 RAS 57964 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Barber, Cosmetology, Esthetics, and Nail  
5 Technology Act of 1985 is amended by changing Sections 3-1 and  
6 3A-1 as follows:

7 (225 ILCS 410/3-1) (from Ch. 111, par. 1703-1)

8 (Section scheduled to be repealed on January 1, 2016)

9 Sec. 3-1. Cosmetology defined. Any one or any combination  
10 of the following practices constitutes the practice of  
11 cosmetology when done for cosmetic or beautifying purposes and  
12 not for the treatment of disease or of muscular or nervous  
13 disorder: arranging, braiding, dressing, cutting, trimming,  
14 curling, waving, chemical restructuring, shaping, singeing,  
15 bleaching, coloring or similar work, upon the hair of the head  
16 or any cranial prosthesis; cutting or trimming facial hair of  
17 any person; any practice of manicuring, pedicuring, decorating  
18 nails, applying sculptured nails or otherwise artificial nails  
19 by hand or with mechanical or electrical apparatus or  
20 appliances, or in any way caring for the nails or the skin of  
21 the hands or feet including massaging the hands, arms, elbows,  
22 feet, lower legs, and knees of another person for other than  
23 the treatment of medical disorders; any practice of epilation  
24 or depilation of any person; any practice for the purpose of  
25 cleansing, massaging or toning the skin of the scalp;  
26 beautifying, massaging, cleansing, exfoliating, or stimulating  
27 the stratum corneum of the epidermis by the use of cosmetic  
28 preparations, body treatments, body wraps, the use of  
29 hydrotherapy, or any device, electrical, mechanical, or  
30 otherwise; or applying make-up or eyelashes to any person,  
31 tinting eyelashes and eyebrows, ~~or~~ lightening hair on the body,  
32 or ~~and~~ removing superfluous hair from the body of any person by

1 the use of depilatories, waxing or tweezers. The term  
2 "cosmetology" does not include the services provided by an  
3 electrologist. Nail technology is the practice and the study of  
4 cosmetology only to the extent of manicuring, pedicuring,  
5 decorating, and applying sculptured or otherwise artificial  
6 nails, or in any way caring for the nail or the skin of the  
7 hands or feet including massaging the hands, arms, elbows,  
8 feet, lower legs, and knees. Cosmetologists are prohibited from  
9 using any technique, product, or practice intended to affect  
10 the living layers of the skin. The term cosmetology includes  
11 rendering advice on what is cosmetically appealing, but no  
12 person licensed under this Act shall render advice on what is  
13 appropriate medical treatment for diseases of the skin.  
14 Purveyors of cosmetics may demonstrate such cosmetic products  
15 in conjunction with any sales promotion and shall not be  
16 required to hold a license under this Act. Nothing in this Act  
17 shall be construed to prohibit the shampooing of hair by  
18 persons employed for that purpose and who perform that task  
19 under the direct supervision of a licensed cosmetologist or  
20 licensed cosmetology teacher.

21 (Source: P.A. 94-451, eff. 12-31-05.)

22 (225 ILCS 410/3A-1) (from Ch. 111, par. 1703A-1)

23 (Section scheduled to be repealed on January 1, 2016)

24 Sec. 3A-1. Esthetics defined.

25 (A) Any one or combination of the following practices, when  
26 done for cosmetic or beautifying purposes and not for the  
27 treatment of disease or of a muscular or nervous disorder,  
28 constitutes the practice of esthetics:

29 1. Beautifying, massaging, cleansing, exfoliating, or  
30 stimulating the stratum corneum of the epidermis by the use  
31 of cosmetic preparations, body treatments, body wraps,  
32 hydrotherapy, or any device, electrical, mechanical, or  
33 otherwise, for the care of the skin;

34 2. Applying make-up or eyelashes to any person, tinting  
35 eyelashes and eyebrows, or lightening hair on the body

1           except the scalp; and

2           3. Removing superfluous hair from the body of any  
3           person.

4           However, esthetics does not include the services provided  
5           by a cosmetologist or electrologist. Estheticians are  
6           prohibited from using techniques, products, and practices  
7           intended to affect the living layers of the skin. The term  
8           esthetics includes rendering advice on what is cosmetically  
9           appealing, but no person licensed under this Act shall render  
10          advice on what is appropriate medical treatment for diseases of  
11          the skin.

12          (B) "Esthetician" means any person who, with hands or  
13          mechanical or electrical apparatus or appliances, engages only  
14          in the use of cosmetic preparations, body treatments, body  
15          wraps, hydrotherapy, makeups, antiseptics, tonics, lotions,  
16          creams or other preparations or in the practice of massaging,  
17          cleansing, exfoliating the stratum corneum of the epidermis,  
18          stimulating, manipulating, beautifying, grooming or similar  
19          work on the face, neck, arms and hands or body in a superficial  
20          mode, and not for the treatment of medical disorders.

21          (Source: P.A. 94-451, eff. 12-31-05.)